

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 4054**  
**OFFERED BY MR. SAM JOHNSON OF TEXAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Labor-Management  
3 Accountability Act”.

**4 SEC. 2. CIVIL MONETARY PENALTIES.**

5 Title VI of the Labor-Management Reporting and  
6 Disclosure Act of 1959 (29 U.S.C. 521) is amended—

7 (1) by redesignating section 611 as section 612;  
8 and

9 (2) by inserting after section 610 the following:

**10 “SEC. 611. CIVIL MONEY PENALTIES.**

11 “(a) IN GENERAL.—The Secretary, upon finding a  
12 violation of either section 201(a), 201(b), 202, 203, or 301  
13 of this Act, may require the person, labor organization,  
14 or employer responsible for such violation to pay a civil  
15 money penalty in an amount determined under a schedule  
16 of penalties which is established and published by the Sec-  
17 retary and which takes into account the nature of the vio-  
18 lation involved, the revenues of, and the existence of pre-  
19 vious violations of the Act by, the person, labor organiza-

1 tion, or employer involved, and such other factors as the  
2 Secretary considers appropriate.

3 “(b) NOTICE.—The Secretary may not make any de-  
4 termination adverse to a person, labor organization, or  
5 employer under subsection (a) until such person or entity  
6 has been given written notice and an opportunity to be  
7 heard before the Secretary or designee. Procedures for  
8 such notice, opportunity to be heard, decision and review  
9 shall be as set forth in sections 208 and 606. Requests  
10 for review shall be filed in Federal district court not later  
11 than 30 days of the receipt of an adverse determination.”.